

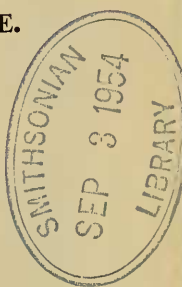
OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 267

Rejection of a proposal for the validation, under the Plenary Powers, of the generic name *Porina* Walker, 1856 (Class Insecta, Order Lepidoptera) by the suppression thereunder of the generic name *Porina* d'Orbigny, 1852 (Class Bryozoa)

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 267

REJECTION OF A PROPOSAL FOR THE VALIDATION,
UNDER THE PLENARY POWERS, OF THE GENERIC
NAME "PORINA" WALKER, 1856 (CLASS
INSECTA, ORDER LEPIDOPTERA) BY THE
SUPPRESSION THEREUNDER OF THE
GENERIC NAME "PORINA"
D'ORBIGNY, 1852
(CLASS BRYOZOA)

RULING :—(1) The request for the use of the Plenary Powers for the purpose of validating the generic name *Porina* Walker, 1856 (Class Insecta, Order Lepidoptera) by suppressing the name *Porina* d'Orbigny, 1852 (Class Bryozoa) is hereby rejected, because such action, though helpful in the Class Insecta (Order Lepidoptera), would involve the suppression of a well-known generic name in another part (Class Bryozoa) of the Animal Kingdom.

(2) The generic name *Porina* Walker, 1856, is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 66.

(3) The generic name *Oxycanus* Walker, 1856 (gender of name : masculine) (type species, by selection by Kirby (1892) : *Oxycanus australis* Walker, 1856) is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 683.

(4) The specific name *australis* Walker, 1856, as published in the combination *Oxycanus australis*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 83.

I.—THE STATEMENT OF THE CASE

On 10th July 1945, Dr. J. T. Salmon (*Entomologist, Dominion Museum, Wellington, New Zealand*) submitted the following request for the use of the Commission's Plenary Powers for the suppression of the generic name *Porina* d'Orbigny, 1852 (Class Bryozoa) with the object of validating the generic name *Porina* Walker, 1856 (Class Insecta, Order Lepidoptera), a name of considerable interest in agriculture in New Zealand :—

“ *Porina* ” versus “ *Oxycanus* ”

By J. T. SALMON

(*Dominion Museum, Wellington, New Zealand*)

(extract from a letter dated 10th July 1945)

I should like to draw your attention to recent changes in name concerning the genus *Porina* Walker in the Lepidoptera. It is suggested that this be changed to *Oxycanus* by N. B. Tindale, *Records of the Australian Museum*, Vol. 5, 1935, p. 280. This has been followed by Dumbleton and Dick in several papers in the *New Zealand Journal of Science and Technology* between 1940 and the present time, concerning the ravages of *Porina* (or *Oxycanus*) in the pastures in New Zealand. *Porina* is a very widespread genus in the Lepidoptera, very well represented in New Zealand and also in Australia, and is known to all entomologists as *Porina*, and has become known to the farming community of New Zealand as *Porina*. The change is made mainly because *Porina* previously had been used in the Mollusca; and I should like the matter to be taken up by your Commission to see whether it would be possible for *Porina* in the Lepidoptera to be declared a *nomen conservandum*, and that the change in name necessary be made in the Mollusca, where the name has a very much narrower use. In the meantime, until I hear from you in the matter, I am delaying the necessary changes of name which would have to be made in the reference collections and literature of this Museum.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt of Dr. Salmon's letter, the present problem was given the Registered Number Z.N.(S.) 194. In acknowledging receipt on 9th September 1945 of this application, the Secretary

took note that the essential question which it would be necessary for the International Commission to consider in this case would be whether the advantages of the proposed action from the point of view of entomology (including its economic aspects) would be such as to outweigh any objections entertained by other specialists to the suppression of the name *Porina* d'Orbigny, 1852.

3. *Issue of Public Notices* : On 14th November 1947 a notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913.

4. In June 1948 the Secretary invited Dr. Salmon to ascertain, for the information of the International Commission, what would be the attitude of interested workers on the question of the proposed suppression of the name *Porina* d'Orbigny, 1852. At the same time Mr. Hemming invited Mr. R. Winckworth (*London*) to furnish a statement of his views on this question. The replies received from Mr. Winckworth and Dr. Salmon are given in the immediately following paragraphs.

5. *Reply received from Mr. R. Winckworth* : On 28th June 1948, Mr. Winckworth replied as follows :—

Porina d'Orbigny, 1852, was proposed not for a genus of molluscs, but for a Cretaceous genus of Bryozoa, and the name has since been used also for recent species. Thus, in the *Cambridge Natural History*, it is listed among the principal genera of Polyzoa, and it is also referred to in two other places in connexion with recent species of *Porina*.

6. *Reply received from Dr. J. T. Salmon* : On 15th July 1948, Dr. Salmon replied as follows :—

With reference to your letter of 23rd June, concerning the status of *Porina* Walker, I have been enquiring into this myself and have ascertained that the name as used in the Bryozoa is the type genus of the PORINIDAE and is a teaching type in Zittel's work on Geology. On this account it seems to me that it is far more widely known in Palaeontology than it is in agriculture or entomology in New Zealand and Australia. On this account I think the case for the suppression

of *Porina* in the Bryozoa in favour of its retention in the Lepidoptera should be withdrawn.

7. On 25th July 1948 Mr. Hemming, as Secretary, submitted to the Commission a Paper (I.C.(48)19), containing summaries of the principal points arising on a number of individual cases, of which the present was the fourth. Later, Mr. Hemming's Paper was published as part of the historical record of the Proceedings of the International Commission during its Paris Session (1950, *Bull. zool. Nomencl.* 3 : 135—138). The passage relating to the present case (3 : 136) was as follows :—

(4) **Proposed use of the Plenary Powers for “*Porina*” Walker, 1856 (Order Lepidoptera) :** This name is of importance as this genus has a species which is a serious pasture pest in New Zealand. It is invalid, however, because it is pre-occupied by *Porina* d'Orbigny, 1852, the name for a genus of Cretaceous Bryozoa. Recent species have also been referred to this genus which is regarded as one of the principal genera of Bryozoa. It would seem to me to be quite a wrong use of the Plenary Powers to employ them to validate a name in one part of the Animal Kingdom, if (as here) this means upsetting a well-known generic name in some other part of the Animal Kingdom. It appears to me, therefore, that the present application should be rejected and that the next name for “*Porina*”, i.e., *Oxycanus* Walker, 1856, should be used in its place, as in fact is already being done by some authors in New Zealand. It is suggested that concurrently with the rejection of the present application the name *Oxycanus* should be placed on the *Official List*.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

8. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International

Commission, setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 13th Meeting, Conclusion 5) (1950, *Bull. zool. Nomencl.* 4 : 356—357) :—

THE COMMISSION agreed :—

- (1) to reject, for the reasons set out in Point (4) in Commission Paper I.C.(48)19,¹ the application referred to in (a) above² that they should use their Plenary Powers to validate the generic name *Porina* Walker, 1856 (Class Insecta, Order Lepidoptera) by suppressing the generic name *Porina* d'Orbigny, 1852 (Class Bryozoa) ;
- (2) in conformity with the decision in regard to the procedure in cases where an application for the use of the Plenary Powers is rejected, to place on the *Official List of Generic Names in Zoology* the oldest available name for the genus for which the invalid name *Porina* Walker, 1856, had been published, namely the generic name *Oxycanus* Walker, 1856 (type species, by selection by Kirby (1892) : *Oxycanus australis* Walker, 1856) ;
- (3) in conformity with the decision in regard to the procedure to be adopted where the Commission either suppresses a generic name or rules that it is invalid under the *Règles*, to add the name *Porina* Walker, 1856 (type species, by monotypy : *Porina novaezealandiae* Walker, 1856), to the *Official Index of Rejected and Invalid Generic Names in Zoology* ;
- (4) to place the specific trivial name *australis* Walker, 1856 (as published in the binominal combination *Oxycanus australis*) on the *Official List of Specific Trivial Names in Zoology* ;
- (5) to render an *Opinion* setting out the decisions specified in (1) to (4) above.

¹ See paragraph 7.

² The application here referred to in point (a) of the Official Record of the Paris Proceedings (Paris Session, 13th Meeting, Conclusion 5) (1950, *Bull. zool. Nomencl.* 4 : 356) is the application reproduced in the first paragraph of the present *Opinion*.

9. The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

australis, *Oxycanus*, Walker, 1856, *List. lep. Ins. Brit. Mus.* (7) : 1574

Oxycanus Walker, 1856, *List lep. Ins. Brit. Mus.* (7) : 1573

Porina Walker, 1856, *List lep. Ins. Brit. Mus.* (7) : 1572

The reference for the type selection for *Oxycanus* Walker, 1856, is :—Kirby, 1892, *Syn. Cat. Lep. Het.* : 892

10. The gender of the generic name *Oxycanus* Walker, 1856, referred to in the decision given in paragraph 8, is masculine.

11. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on Monday, 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 104—105).

12. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

13. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

14. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression “trivial name” and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word “trivial” appearing also

in the title of the Official Index reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

15. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

16. The present *Opinion* shall be known as *Opinion Two Hundred and Sixty-Seven (267)* of the International Commission on Zoological Nomenclature.

DONE in London, this Sixth day of January, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

